

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

EUGENE C. THORNE, JR.,

Plaintiff,

v.

C/O HAMMER, *et al.*,

Defendants.

NO. 3:17-CV-0939

(JUDGE CAPUTO)

(MAGISTRATE JUDGE ARBUCKLE)

**ORDER**

NOW, this 14<sup>th</sup> day of March, 2019, upon review of the Report and Recommendation of Magistrate Judge William I. Arbuckle (Doc. 33) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 33) is **ADOPTED**.
- (2) The Motion to Dismiss (Doc. 22) is **GRANTED**.
- (3) Plaintiff has **thirty (30) days** from the date of entry of this Order to file his Amended Complaint.
- (4) The matter is **RECOMMITTED** to Magistrate Judge Arbuckle for further proceedings.



A. Richard Caputo  
United States District Judge